

# Twelfth Judicial District Court

Otero County · Lincoln County



Otero County District Court  
1000 New York Avenue  
Alamogordo, NM 88310  
(575) 437-7310

Alamogordo Magistrate Court  
263 Robert H. Bradley Drive  
Alamogordo, NM 88310  
(575) 437-9000

Carrizozo Magistrate Court  
310 11<sup>th</sup> Street  
Carrizozo, NM 88301  
(575) 648-2389

Lincoln County District Court  
300 Central Avenue  
Carrizozo, NM 88301  
(575) 648-2432

Ruidoso Magistrate Court  
301 W. Highway 70 N, Suite 2  
Ruidoso, NM 88345  
(575) 378-7022

November 25, 2019

MuckRock News  
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Somerville, MA 02144-2516  
E-mail: [82895-71535069@requests.muckrock.com](mailto:82895-71535069@requests.muckrock.com)  
Attn: Lucy Parsons Labs

Re: Inspection of Public Records Act Request received November 21, 2019

Dear Ms. Parsons Labs:

The Twelfth Judicial District Court is in receipt of your public records request. You have requested the following records:

*For all search warrants, applications for search warrants, cancellations, and authorization for search warrants between 2012 to the date of processing this request, please provide the following points of record for each:*

*Full Name of requester*

*If arrest, arrest ID (eg some cities/states use, "Incident Report")*

*Reason(s) for search warrant (typically either hand-written, or checkboxes)*

*Badge ID (or similar) of requester*

*District/Unit*

*Name of Judge*

*Name of approving officer*

*Whether an Arrest happened*

*Requested location of search warrant*

*Location of search warrant execution*

*Type of search warrant*

*Statements used to justify search warrant*  
*Time and date when search warrant was submitted for approval*  
*Time and date when search warrant was executed*  
*Whether anything was seized*  
*Whether anything was found*  
*License plate of vehicle (if relevant)*  
*Race of person for search warrant*  
*Age of person for search warrant*  
*State of person for search warrant*  
*Whether an informant was involved*  
*Method of contact with informant leading to search warrant (eg, phone call, mail, fax, email, etc)*  
*Description of person search warrant executed on*  
*Legal code of violation*  
*Description of violation*  
*Date of violation*  
*If search warrant related to debt: name of company debt is owed to, amount owed*  
*Whether FBI involved*  
*ID associated with FBI document (eg, IR #)*  
*Whether search warrant was cancelled*  
*Whether contraband found*  
*Whether narcotics found*

*The records responsive to this request are likely available in a database, or in some query-able format. If your department or agency does not have direct access to the records, please raise to the respective department that can run queries directly (eg, through SQL).*

*Should your agency not have all of the requested records within a single record or document, please provide me the relevant documents that do, even if that requires more than one class of document. Should some of the records be unavailable, please let me know ahead of time so that we can narrow the request accordingly.*

*As the records responsive to this request are imperative for understanding how search warrants are executed, I ask that the public interest of these records be evaluated to the extent that the public's interest outweighs this request's burden. To add, this request is being sent to the largest city of every state and will be collated together to create a comprehensive map of search warrants throughout the US. As such, the records are not only important for understanding search warrants at a local level, but also at a national and state-wide level.*

*Please ensure that provided documents comply with Section 508, as these records will be shared with members of the public who are covered under the ADA. This guide should be helpful: <https://www.hhs.gov/web/section-508/making-files-accessible/checklist/pdf/index.html>*

*If this request was sent to the wrong department or agency, please let me know so that I can send to the correct place.*

*The requested documents will be made available to the general public, and this request is not being made for commercial purposes.*

*In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.*

*Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 15 business days, as the statute requires.*

It is the policy of this Court to be fully responsive to requests for public records available under the Inspection of Public Records Act, NMSA 1978, §14-2-1 *et. seq.* (“IPRA”). IPRA provides the public with the right to access government records. IPRA requires government agencies to allow the inspection of existing records. Your request is not for a record. Instead, you asked for bulk data relating to warrants. The New Mexico IPRA does not impose a duty on State agencies to create records that do not already exist.

The Court uses the Odyssey electronic case management system for docketing and case management purposes. The Odyssey system is not utilized to capture and report the specific and discrete data you requested regarding search warrants. The Court does not maintain or run any reports that would routinely gather and produce the data you requested. The provisions of IPRA do not require a governmental body to create documents, lists, spreadsheets, statistics or other reports in order to respond to a records request. For example, you asked for the “age” of each person subject to a search warrant since 2012. We have no record that contains a compilation of the ages of every person who was the subject of a search warrant. Similarly, you also asked for a “description” of each person subject to a search warrant since 2012. Again, we have no record or report that provides that information. What you have asked for are data points that must be manually culled out of thousands of pages of records and compiled into report that currently do not exist.

Further, the Court does not have custody or control of arrest records or data *See Rule 5-211 NMRA Search Warrants (Search warrants may only be executed by “a full-time salaried state or county law enforcement officer, a municipal police officer, a campus security officer, an Indian tribal or pueblo law enforcement officer, or a civil officer of the United States authorized to enforce or assist in enforcing any federal law.”)* Public records requests seeking law enforcement records, statistics and reports should be requested through the law enforcement agency that handled the criminal investigation. In Otero County, those law enforcement agencies include: Otero County Sheriff’s Office, Alamogordo Police Department, Cloudcroft Police, Tularosa Police Department, New Mexico State Police, and the Bureau of Indian Affairs. In Lincoln County, those law enforcement agencies include: Lincoln County Sheriff’s Office, Carrizozo Police Department, Ruidoso Police Department, Ruidoso Downs Police Department, and New Mexico State Police.

Sincerely,

*Katina Watson*

Katina Watson  
Court Executive Officer